

Entered - 05/12/98 - sb
CL98L0333 - DIANNE C. MITCHELL

CLAIM OF: YVONNE O. JORDAN
1306 Richland Road, SW
Atlanta, Georgia 30310

02-*R*-0553

For damages alleged to have been sustained as a result of property damage during the Utoy Creek Sewer Separation Project on February 7, 1998 at 867 Pinehurst Terrace, SW.

THIS ADVERSED REPORT IS APPROVED

BY: *Rosalind Rubens Newell*
ROSALIND RUBENS NEWELL
INTERIM CITY ATTORNEY

ADVERSED BY
CITY COUNCIL APR 01 2002

ADVERSE REPORT

PUBLIC SAFETY &

LEGAL ADMINISTRATION COMMITTEE

DATE: *3/26/2002*

CHAIR: *[Signature]*

[Signature]

[Signature]

[Signature]

[Signature]

[Signature]

[Signature]

[Signature]

CERTIFIED
APR 01 2002
Rosalind Rubens Newell
MUNICIPAL CLERK

CERTIFIED
APR 1 2002
[Signature]
COUNCIL PRESIDENT PROTEM



OFFICE OF MUNICIPAL CLERK

RHONDA DAUPHIN JOHNSON, CMC
MUNICIPAL CLERK

55 TRINITY AVENUE, S.W.
SECOND FLOOR, EAST
SUITE 2700
ATLANTA, GEORGIA 30335
(404) 330-6033
FAX (404) 658-6103

April 18, 2002

Yvonne O. Jordan
1306 Richland Road, SW
Atlanta, Georgia 30310

02-R-0553

Dear Ms. Jordan:

I sincerely regret that you have been adversely affected by the circumstances raised in your claim for damages against the City of Atlanta. Your time and patience in this matter has been greatly appreciated.

However, I must notify you that the Atlanta City Council Adopted an Adverse Report on your claim at its regular meeting on April 1, 2002. In consultation with the City's Law Department, who conducted an investigation of the situation, the Council has determined that the City cannot accept responsibility for this matter and therefore cannot pay this claim.

If you desire any further information, please contact the City Attorney's Office/Claims Division at (404) 330-6400.

Sincerely,

Rhonda Dauphin Johnson, CMC
Municipal Clerk

cc: Claims Division/Law Department

DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY

Claim No. 98L0333

Date: March 14, 2002

Claimant /Victim YVONNE O. JORDAN

BY: (Atty)(Ins. Co.) _____

Address: 1306 Richland Road, SW, Atlanta, Georgia 30310

Subrogation: _____ Claim for Property damage \$ Not Stated Bodily Injury \$ _____

Date of Notice: 05/04/98 Method: Written, proper X Improper _____

Conforms to Notice: O.C.G.A. §36-33-5 X Ante Litem (6 Mo.) X

Date of Occurrence 02/07/98 Place: 867 Pinehurst Terrace, SW

Department Public Works Division: Sewer Operations

Employee involved _____ Disciplinary Action: _____

NATURE OF CLAIM: The claimant alleges her property was damaged during the Utoy Sewer Separation Project. The investigation determined that the work was performed by a private contractor, Rockdale Pipeline, and the claim has been tendered to their insurance carrier for handling.

INVESTIGATION:

Statements: City employee _____ Claimant _____ Others _____ Written _____ Oral _____

Pictures _____ Diagrams _____ Reports: Police _____ Dept Report X Other _____

Traffic citations issued: City Driver _____ Claimant Driver _____

Citation disposition: City Driver _____ Claimant Driver _____

BASIS OF RECOMMENDATION:

Function: Governmental X Ministerial _____

Improper Notice _____ More than Six Months _____ Other X Damages reasonable _____

City not involved X Offer rejected _____ Compromise settlement _____

Repair/replacement by Ins. Co. _____ Repair/replacement by City Forces _____

Claimant Negligent _____ City Negligent _____ Joint _____ Claim Abandoned _____

Respectfully submitted,


INVESTIGATOR - DIANNE C. MITCHELL

RECOMMENDATION:

Pay \$ _____ Adverse X Account charged: 1A01 _____ 2J01 _____ 2H01 _____

Claims Manager:  Concur/date 03-14-02

Committee Action: _____ Council Action _____

RCS# 3635
4/01/02
2:42 PM

Atlanta City Council

Regular Session

CONSENT I

Except;02-R-0531;02-R-0499;R-0497;R-0561
02-R-0498;02-R-0588;02-R-0589;02-R-0513
ADOPT

SEE ATTACHED LISTING OF ITEMS
ADOPTED/ADVERSED ON
CONSENT AGENDA

YEAS: 14
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 1
EXCUSED: 0
ABSENT 1

Y Smith
Y Starnes
Y Young
Y Winslow

Y Archibong
NV Fauver
Y Shook
Y Muller

Y Moore
Y Martin
Y Maddox
Y Boazman

Y Mitchell
Y Norwood
Y Willis
B Woolard

ITEM (S) REMOVED FROM
CONSENT AGENDA
02-R-0497
02-R-0498
02-R-0499
02-R-0513
02-R-0531
02-R-0561
02-R-0589

CORRECTED COPY

CONSENT I

| | | 04/01/02 Council Meeting |
|------------------------------------|------------------------------------|--|
| ITEMS ADOPTED ON CONSENT AGENDA | ITEMS ADOPTED ON CONSENT AGENDA | ITEMS ADVERSE ON CONSENT AGENDA |
| 1. 02-O-0562 | 34. 02-R-0486 | 63. 02-R-0514 |
| 2. 02-O-0564 | 35. 02-R-0511 | 64. 02-R-0515 |
| 3. 02-O-0566 | 36. 02-R-0587 | 65. 02-R-0516 |
| 4. 02-O-0568 | 37. 02-R-0492 | 66. 02-R-0517 |
| 5. 02-O-0582 | 38. 02-R-0493 | 67. 02-R-0536 |
| 6. 02-O-0389 | 39. 02-R-0557 | 68. 02-R-0537 |
| 7. 02-O-0392 | 40. 02-R-0521 | 69. 02-R-0538 |
| 8. 02-O-0390 | 41. 02-R-0522 | 70. 02-R-0539 |
| 9. 02-O-0458 | 42. 02-R-0523 | 71. 02-R-0540 |
| 10. 02-O-0394 | 43. 02-R-0524 | 72. 02-R-0541 |
| 11. 02-O-0397 | 44. 02-R-0525 | 73. 02-R-0542 |
| 12. 02-O-0399 | 45. 02-R-0526 | 74. 02-R-0543 |
| 13. 02-O-0400 | 46. 02-R-0527 | 75. 02-R-0544 |
| 14. 02-O-0401 | 47. 02-R-0528 | 76. 02-R-0545 |
| 15. 02-O-0402 | 48. 02-R-0529 | 77. 02-R-0546 |
| 16. 02-O-0403 | 49. 02-R-0530 | 78. 02-R-0547 |
| 17. 02-O-0404 | 50. 02-R-0567 | 79. 02-R-0548 |
| 18. 02-O-0405 | 51. 02-R-0588 | 80. 02-R-0549 |
| 19. 02-O-0408 | 52. 02-R-0518 | 81. 02-R-0550 |
| 20. 02-R-0464 | 53. 02-R-0556 | 82. 02-R-0551 |
| 21. 02-R-0494 | 54. 02-R-0558 | 83. 02-R-0552 |
| 22. 02-R-0495 | 55. 02-R-0585 | 84. 02-R-0553 |
| 23. 02-R-0496 | 56. 02-R-0586 | 85. 02-R-0554 |
| 24. 02-R-0500 | 57. 02-R-0349 | 86. 02-R-0555 |
| 25. 02-R-0560 | 58. 02-R-0506 | |
| 26. 02-R-0569 | 59. 02-R-0532 | |
| 27. 02-R-0570 | 60. 02-R-0533 | |
| 28. 02-R-0571 | 61. 02-R-0534 | |
| 29. 02-R-0572 | 62. 02-R-0535 | |
| 30. 02-R-0573 | | |
| 31. 02-R-0574 | | |
| 32. 02-R-0595 | | |
| 33. 02-R-0596 | | |